



EXHIBIT 8  
DATE 4/11/2013  
SB 143

**Please vote NO on Senate Bill 143**

Good afternoon members of the House Ag committee. Thank you for this opportunity to present public comment. My name is Zack Waterman, I'm from Bozeman, and I'm testifying on behalf of the Montana Chapter of the Sierra Club and our more than 2,000 annual dues-paying members.

Sierra Club is adamantly opposed to Senator Brenden's zero tolerance bison bill.

Rather than reiterate many of the blatantly obvious problems with SB 143 that others who have testified before me have addressed, I'd like to make sure members of the committee are aware that Senator Brenden's bill completely undermines the work of the diverse group of citizens that came together to consider ways to improve bison management in Montana.

The bison Citizens Working Group was open to any interested person and included ongoing participation from sportsmen, livestock producers, local citizens, landowners, wildlife conservation interests and others. After meeting for well over a year, this diverse group produced a consensus recommendation document that called for the state and federal agencies that manage YNP bison to designate year-round bison habitat on select portions of the Gallatin National Forest as well as to find other suitable landscapes where bison can be managed as wildlife.

I was honored to be a part of this Citizens Working Group and I believe these recommendations are a shining example of how Montanans do business. We talk with one another, we consider the facts, we strike compromises, and we look for solutions. That's why Sierra Club and other conservation groups including Defenders, GYC, and NRDC have ponied up and established a fund to pay for fencing to help address local landowner concerns related to migrating bison.

Our members are not indifferent to the concerns that some have with bison in Montana, and we seek to find win/win solutions for bison, local communities, and landowners. However, we completely reject the notion that there is no place for bison in Montana. Bison can and do coexist with local communities and a vibrant agriculture economy.

Unfortunately Senator Brenden's bill is anything but a solution oriented, well-reasoned and balanced bill that takes into account a myriad of different interests in Montana. It creates zero tolerance for bison in Montana and undermines more than a years' worth of hard work by a diverse and engaged group of citizens.

I'd urge members of the committee to please take a look at the Citizens Working Group Recommendations, particularly the habitat section which emphatically states that current bison populations do not have access to enough year-round habitat and advises the state to look for such opportunities to allow migrating bison to use at least some federal public lands adjacent to the park.

It's truly disappointing to see such a lopsided bill that unnecessarily caters to stockgrowers at the expense of the public trust. Please vote NO on Senate Bill 143 because it's the right thing to do.

Sincerely,

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### III. HABITAT EFFECTIVENESS/HABITAT EXPANSION

#### Issue Statement and Rationale

The rationale for our habitat recommendations is based upon the fact that the current bison population does not have access to enough year-round habitat. Significant habitat, however, exists outside Yellowstone National Park which includes National Forest lands. We'd like to see bison have access to more of this habitat allowing for more fair-chase hunting as a management tool which is more desirable than the expenditure of taxpayer dollars for haze, capture, and slaughter practices. That said, we think that local public input (i.e. residents and private property owners) is critical to habitat expansion and should be given a high priority in the process. The habitat exists, win-win solutions to protect landowners exist, and we hope to see the winter and year-round habitat expanded for the bison population.

#### Guiding Principles

- a) We believe that bison should be managed. We recognize that some bison are wildlife and some are commercially owned.
- b) We believe that Montana Fish, Wildlife and Parks has a right and a responsibility to manage brucellosis-free bison as wildlife in the State of Montana.
- c) We recognize that there are varied economic and cultural interests associated with bison.
- d) Yellowstone National Park bison need year-round habitat and the Park has limited year-round habitat. We believe there are year round opportunities for bison outside the Park.
- e) We recognize that there are public and private property rights issues associated with bison habitat and bison management.
- f) We believe that agencies should acknowledge their responsibility to allow bison on State and Federal lands managed as wildlife habitat.
- g) We believe that feed grounds are not legitimate alternatives to wildlife habitat.
- h) We believe any translocation of Yellowstone bison to an area where they would be geographically separate from Yellowstone herds should be brucellosis free.
- i) We believe brucellosis-free bison should be available to entities/localities that desire them and are adequately prepared to accept and manage them as wildlife.
- j) We acknowledge Tribes' cultural and other interests in restoring bison to Tribal lands and life ways and recognize that their management strategies might be different than ours.

**Recommendations**

1. Identify public lands that could/should be open to bison year-round in accordance with state and federal law.
2. Systematically identify suitable, available habitat outside Yellowstone National Park in the Greater Yellowstone Area (i.e., Federal, State and Private lands)
3. Develop and implement strategies that manage bison as wildlife on those lands, specifically:
  - a. Hebgen Basin
    - i. Designate Horse Butte Peninsula and the Flats as year-round bison habitat by May 2012 following an adequate public process for this management change.
    - ii. By the end of 2012, interview and map landowners to identify where bison are welcome, unwelcome, which landowners are on the fence and what their reservations are.
    - iii. By the end of 2013, implement adequate fencing or acceptable alternatives.
  - b. Gardiner Basin
    - i. By the end of 2012, interview and map landowners to identify where bison are welcome, unwelcome, which landowners are on the fence and what their reservations are.
    - ii. By the end of 2013, implement adequate fencing or acceptable alternatives.
    - iii. Following the interview process and implementation of fencing/alternative strategies, consider designating the Gardiner Basin year-round habitat using an adequate public process.
  - c. Beyond the Gardiner Basin
    - i. Based on a minimum of two years of bison experience in the Gardiner Basin, and
    - ii. Using adequate public process, consider allowing bison to roam on Dome Mountain Ranch, Dome Mountain Wildlife Management Area and surrounding lands with landowner concurrence.
  - d. Upper Gallatin/Taylor Fork/Cabin Creek/Porcupine/Buffalo Horn Creek, etc.
    - i. Begin a public process to evaluate opportunities for reintroduction and management of bison in this area, including within Yellowstone National Park.
    - ii. Start work to amend/alter State and Federal Management Plans and other decisions to account for the presence of bison on the landscape and take responsibility/be accountable for successfully implementing those plans regarding bison.

e. Additional Habitat Areas

- i. Immediately initiate and complete by the end of 2013 the statewide bison management plan to restore wild bison to additional biologically suitable, socially acceptable areas.

**Desired End Results**

- i. Expanded habitat with private land-owner concerns addressed.
- ii. Habitat expansion and use modification that results in minimal use of management tools such as hazing, capture, slaughter, invasive procedures, etc.
- iii. Measurable, annual results.

**WHERE TO FROM HERE?**

Although the CWG has chosen to focus first on areas of agreement in the interest of fostering constructive action as soon as possible, we understand that areas of uncertainty and even disagreement will arise as implementation of recommendations and longer-term planning get underway. That is the essence of dialogue. We recognize as well that some key players are not yet fully engaged in our conversation. By acknowledging that this document represents a beginning more than a conclusion of dialogue, we anticipate that discussion with the IBMP partners on November 30th and within the CWG will lead to planning for ongoing mechanisms for citizen involvement with the future of bison management. This could include a variety of activities, including, for example, involvement with: educational items listed above; development of the State-wide bison management process; collaboration with tribes and agencies to develop sound hunts and neighborhood living-with-bison assistance, and so forth. Although it is premature to spell out the details of a possible future role of the CWG or its members, this document does provide a foundation for shifting our region's bison management from reflexive conflict to respectful, informed change.

At one of our early meetings, a CWG member predicted, "we will all be changed by this process." It is now our duty to share the lessons from that change with a broader circle, in the best interests of wildlife, people, livestock and our shared landscape.